

REMARKS/ARGUMENTS

As a result of the foregoing amendment, Claims 1, 4 and 5 have been cancelled. Accordingly, Claims 6-16 are pending in this application.

In the Office Action of January 20, 2004, the Examiner has rejected Claims 1 and 4 – 16 for double patenting over Claims 1 – 19 of U.S. Patent No. 6,602,704. In response thereto, Applicants have submitted herewith a Terminal Disclaimer in compliance with 37 CFR 1.321(c). Accordingly, Applicants request that this rejection be withdrawn.

Also, in the Office Action, the Examiner has rejected Claim 5 for lack of antecedent basis for the limitation “the flange member.” Claim 5 has hereinabove been cancelled and therefore this rejection should be withdrawn.

The Examiner has also rejected the subject matter of Claims 1 and 6 as being anticipated by U.S. Patent No. 3,769,936 (hereinafter “the ‘936 patent”). Claim 1 has hereinabove been cancelled. Applicants respectfully request reconsideration and withdrawal of this rejection with respect to Claim 6.

In particular, Applicants respectfully submit that the Examiner is incorrect in asserting that Claim 6 is anticipated by the ‘936 patent. The angular indentations or notches (2”) of the dish disclosed in the ‘936 patent, which extend from the side walls, do not “taper inwardly at a first angle **relative to a central axis of the contact plate**” as recited in Claim 6. As is clear from the specification of this application, this recitation describes an angle defined

by the flange relative to the longitudinally extending central axis. The '936 patent appears to show "V" shaped notches that extend at an angle toward, not relative to, the central axis. In addition, the '936 patent describes sidewalls extending upwardly or downwardly and does not specify an angle for the sidewalls. (See the '936 patent at column 2, lines 25-32). In contrast, Claim 6 recites "an outer surface of the sidewall of the base member tapers inwardly at a second angle relative to the central axis of the contact plate." Accordingly, Claim 6 is clearly not anticipated nor obvious from the '936 patent and Applicants respectfully request that this rejection be withdrawn with respect to Claim 6.

The Examiner has also rejected the subject matter of Claims 4, 5 and 7 – 16 as being obvious over the '936 patent. Claims 4 and 5 have hereinabove been cancelled and therefore Applicants respectfully request reconsideration and withdrawal of this rejection with respect to Claims 7 – 16.

Applicants respectfully submit that arriving at the particular recited limitations of Claims 7 – 16 is not a "matter of routine experimentation." More particularly, the '936 patent recites that the notches (2") are provided as "the lid 2 does not have to be removed except at the end of the experiment and since it is preferred ... that the closed chamber remain with its parts in fixed relative position." (See the '936 patent at column 3, lines 4-8). In contrast, the present application specifically discusses the advantages of lid-based flanges for repeated removal and re-placement of the lid. (See the specification at page 8, lines 16-25). Accordingly, even were one of skill in the art "to experiment" so as to modify the configuration discussed in the '936 patent as suggested by the Examiner, they would not be

led to arrive at the particular configuration as recited in various of the dependent claims.


Therefore, this rejection should be withdrawn.

In view of the foregoing, it is respectfully submitted that the claims are in condition for allowance and prompt notice to that effect is earnestly solicited.

Respectfully submitted,

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